

Jeremy S. Pitcock (admitted *pro hac vice*)  
jpitcock@pitcocklawgroup.com  
**THE PITCOCK LAW GROUP**  
1501 Broadway, 12<sup>th</sup> Floor  
New York, New York 10036  
Tel: (646) 571-2237  
Fax: (646) 571-2001

David R. Stevens (SBN 170123)  
dave.stevens@stevenslawgroup.com  
**STEVENS LAW GROUP**  
1754 Technology Dr., Suite 226  
San Jose, California 95110  
Tel: (408) 288-7588  
Fax:(408) 288-7542

Attorneys for Plaintiff AUTHENEX, INC.  
(Additional counsel listed on signature page.)

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

AUTHENEX, INC., a Delaware corporation,

**Plaintiff,**

V.

EMC CORPORATION, a Massachusetts corporation, VASCO DATA SECURITY INTERNATIONAL, INC., a Delaware Corporation; and VASCO DATA SECURITY, INC., a Delaware corporation.

## Defendants.

## AND RELATED COUNTERCLAIMS

**Case No.: CV 10-01251-MRP (VBKx)**

**PLAINTIFF AUTHENEX, INC.'S**

**NOTICE OF APPEAL**

Judge: Hon. Mariana R. Pfaelzer

Pursuant to Federal Rule of Appellate Procedure 4, notice is hereby given  
that Plaintiff Authenex, Inc. in the above-named case hereby appeals to the United  
States Court of Appeals for the Federal Circuit from:

1. the Court's Claim Construction Order dated October 7, 2010 (Docket No.  
2 78) (attached as Exhibit A);  
3
2. the Court's Order dated February 11, 2011 (Docket No. 144) denying  
4 Authenex's Motion for Reconsideration of the Court's Claim  
5 Construction Order(Docket No. 108)(attached as Exhibit B);  
6
3. the Court's Order dated February 16, 2011 (Docket No. 153) granting  
7 EMC Corporation's Motion for Summary Judgment of Non-Infringement  
8 of Unites States Patent No. 7,519,989 (Docket No. 88) (attached as  
9 Exhibit C);  
10

11 copied of which are attached as exhibits hereto, and all other adverse appealable  
12 orders, rulings, finding and judgments entered in this action. A service list for the  
13 case is attached as Exhibit D.

14 Date: March 17, 2011

15 THE PITCOCK LAW GROUP

16  
17 By: /s/ Jeremy S. Pitcock  
18  
19 Jeremy S. Pitcock

20 Attorney for Plaintiff AUTHENEX, INC.  
21

22 ADDITIONAL COUNSEL OF RECORD FOR PLAINTIFF AUTHENEX, INC.

23 Jennifer L. Ishimoto (SBN 211845)  
ishimoto@banishlaw.com  
24 **BANIE & ISHIMOTO LLP**  
600 Chesapeake Drive  
25 Redwood City, CA 94063  
Tel: (650)549-5660